

# PATENT COOPERATION TREATY

**Sender: THE INTERNATIONAL PRELIMINARY  
EXAMINING AUTHORITY**

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF INTERNATIONAL PRELIMINARY  
REPORT  
(Rule 71.1 PCT)

<b>To:</b> Hamann, Arndt SAURER GmbH & Co. KG Landgrafenstrasse 45 41069 Mönchengladbach GERMANY	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Date of mailing (Day/month/year)</td> <td style="width: 40%;">18.08.2005</td> </tr> </table>	Date of mailing (Day/month/year)	18.08.2005
Date of mailing (Day/month/year)	18.08.2005		
<b>Applicant's or agent's file reference</b>  WS 2235 PCT	<b>IMPORTANT NOTIFICATION</b>		
<b>International reference No.</b>  PCT/EP2004/010429	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <b>International filing date</b>                      (Day/Month/Year)                      17.09.2004                 </td> <td style="width: 50%;"> <b>Priority date (Day/Month/Year)</b>                       16.10.2003                 </td> </tr> </table>	<b>International filing date</b> (Day/Month/Year) 17.09.2004	<b>Priority date (Day/Month/Year)</b>  16.10.2003
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<b>Applicant</b>  SAURER GMBH & CO. KG et al.			

1. The Applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the International Preliminary Report on patentability and its annexes, if any, established on the International Application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for Communication to all the elected Offices.
3. Where required by any of the elected offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those offices.
4. **REMINDER**

The Applicants must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the information sent by the International Bureau with form PCT/1B/301).

Where a translation of the International Application must be furnished to an elected Office, that translation must contain a translation of any annexes to the International Preliminary Report on patentability. It is the Applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices see Volume II of the PCT Applicant's guide.

The Applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purpose of International Preliminary Examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure of the invention and clarity and support for the claims.

<b>Name and mailing address of the International Examining Authority:</b> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	<b>Authorised officer</b>  Abadie, N  Tel. +49 89 2399-2746
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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

Applicant's or agent's file reference WS 2235 PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International reference No. PCT/EP2004/010429	International filing date (Day/Month/Year) 17.09.2004	Priority date (Day/Month/Year) 16.10.2003
International Patent Classification (IPC) or national classification and IPC B65H67/06		
Applicant SAURER GMBH & CO. KG et al.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority according to Article 35 and transmitted to the Applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising</p> <p>a. X A total of 2 sheets (<i>sent to the Applicant and to the International Bureau</i>), as follows:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Sheets of the description, claims and/or drawing which have been amended and are the basis of this report and/or sheets containing rectifications authorised by this authority (see Rule 70.16 and Section 607 of the Administration instructions).</li><li><input type="checkbox"/> Sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the International Application as filed, as indicated in Item 4 of Box No. 1 and the supplemental box.</li></ul> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s), containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the supplemental box relating to the sequence listing (see Section 802 of the Administrative Instructions).</p>																										
<p>4. This report contains indications relating to the following items:</p> <table border="0"><tr><td>X</td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinions with regard to novelty, inventive step and any industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td>X</td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td>X</td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>			X	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinions with regard to novelty, inventive step and any industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	X	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	X	Box No. VIII	Certain observations on the international application
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Date of submission of the request 06.04.2005	Date of completion of this report 18.08.2005
Name and mailing address of the International Examining Authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorised officer Kising, A Tel. +49 89 2399-2174 <div style="text-align: right;">EPO stamp</div>

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International Application No. PCT/EP2004/010429

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**Box No. 1      Basis of the report**

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1. With regard to the **language**, this report is based on the International Application in the language in which it was filed, if nothing different is stated under this point.

- ☐ The report is based on a translation from the original language into the following language, which is the language of the translation, which has been filed for the following purpose:
  - ☐ international search (according to Rules 12.3 and 23.1b)
  - ☐ publication of the international application (according to Rule 12.4)
  - ☐ international preliminary examination (according to Rules 55.2 and/or 55.3)

2. With regard to the **elements\*** of the international application, the report is based on *(replacement sheets which have been furnished to the receiving office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

**Description, pages**

2-5	in the originally filed version
1, 1a	received on 15.03.2005 with the communication dated 10.03.2005

**Claims, No.**

1-4	in the originally filed version
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**Drawings, sheets**

1/2, 2/2	in the originally filed version
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☐ a sequence listing and/or any related tables – see supplemental box relating to sequence listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ Description: page
- ☐ Claims: No.
- ☐ Drawings: Sheet/Figs.
- ☐ Sequence listing (*specify*):
- ☐ any tables relating to the sequence protocol (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered in the opinion of the authority to go beyond the disclosure as originally filed, as indicated in the supplemental box (Rule 70.2 c)).

- ☐ Description: page
- ☐ Claims: No.
- ☐ Drawings: Sheet/Figs.
- ☐ Sequence listing (*specify*):
- ☐ any tables relating to the sequence listing (*specify*):

\* If Item 4 applies, some or all of the sheets may be marked "superseded".

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International Application No.  
PCT/EP2004/010429

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; documents and explanations supporting such statement**

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1. Statement
- |                               |      |            |
|-------------------------------|------|------------|
| Novelty (N)                   | Yes: | Claims 1-4 |
|                               | No:  | Claims     |
| Inventive step (IS)           | Yes: | Claims 1-4 |
|                               | No:  | Claims     |
| Industrial applicability (IA) | Yes: | Claims 1-4 |
|                               | No:  | Claims     |

2. Documents and explanations (Rule 70.7):

**see supplementary sheet**

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**Box No. VIII Certain comments on the International Application**

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For clarity of the claims, the description and the drawings or in relation to the question as to whether the claims are supported in their entirety by the description, the following should be noted:

**see supplementary sheet**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(SUPPLEMENTARY SHEET)**

**International Application No. PCT/EP2004/010429**

**Item V**

**Reasoned statements with regard to novelty, inventive step and industrial applicability;  
documents and explanations supporting such statement**

1. Reference is made to the following documents:

D1: DE 199 05 856 A (SCHLAFHORST & CO W) 17 August 2000 (2000-08-17)  
D2: DE 42 17 575 A (MURATA MACHINERY LTD) 3 December 1992  
(1992-12-03)

2. *Novelty/Inventive Step (Art. 33(2), Art. 33(3) PCT*

The subject of claims 1 to 4 fulfils the requirements of Article 33(2) and 33(3) PCT.

2.1 Claim 1:

Document D1, which is regarded as the closest prior art, discloses (see entire document) a rotor spinning machine according to the preamble of claim 1.

The subject of claim 1 differs therefrom, in particular in that a subsequent bobbin request from a second service unit is suppressed until the initially existing bobbin request has been fulfilled.

Neither document D1 nor D2 give any indication of these characterising features, which have the object of avoiding undesired removals of bobbins from the bobbin supply device.

Therefore the subject of claim 1 should fulfil the requirements of Articles 33(2) and 33(3) PCT.

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(SUPPLEMENTARY SHEET)**

**International Application No. PCT/EP2004/010429**

**2.2    Claims 2 to 4:**

The dependent claims 2 to 4 only relate to particular configurations of the invention, which on the basis of the above-mentioned independent claim 1, also fulfil the above-mentioned criteria.

## **Description**

### **Rotor spinning machine**

The invention relates to a rotor spinning machine according to the preamble of claim 1.

Service units are used on rotor spinning machines and can be moved on guide rails on the longitudinal sides of the rotor spinning machine. Starting spinning after a thread break and supplying the spinning stations of the rotor spinning machine with bobbins belongs to the tasks of the service devices. In order to keep the stoppage times of the spinning stations as short as possible in the event of a thread break or bobbin change, a plurality of service units are used on a rotor spinning machine, for example two service units on each longitudinal side of the machine.

DE 42 17 575 A discloses a winding machine with a number of winding stations arranged next to one another. At least one take-up bobbin changing device can move along the winding stations. A bobbin supply mechanism is arranged at one end of the winding machine. A conveying device for supplying the bobbins from the bobbin supply mechanism is arranged parallel to the travel path of the take-up bobbin changing device. A bobbin holding device for receiving the bobbins brought by the conveying device is provided at the take-up bobbin changing device. The bobbin holding device configured as a bobbin store is an additional constructional outlay on the take-up bobbin changing device. If a winding station has been stopped owing to

a full take-up bobbin, the take-up bobbin changing device is moved into a position in front of this winding station. The full take-up bobbin is exchanged for an empty bobbin. The new bobbin is removed for this purpose from the bobbin store brought by the take-up bobbin changing device. After the bobbin change, the supply bobbin changing device waits at the winding station, until a bobbin brought by the conveying device has filled up its store again. The supply bobbin changing device then travels to a further winding station, which requests a supply bobbin change.

DE 199 05 856 A1 describes a rotor spinning machine, which, between end frames, has a plurality of working stations, which are arranged on the two longitudinal sides of the machine. These working stations each have a spinning mechanism and a downstream winding mechanism and are supplied by a plurality of service units during operation. A service unit is requested and positioned at the working station for a bobbin change at a working station. From the bobbin magazine, a bobbin is requested, which is transported by means of a transport band to the working station. The service unit has a device, with which the bobbin delivered can be removed from the transport band. The bobbin is then positioned in the winding station in the operating position.

(Amended sheet)